



General Assembly

Amendment

January Session, 2009

LCO No. 9175

SB0092009175HR0

Offered by:

REP. CAFERO, 142nd Dist.

REP. HAMZY, 78th Dist.

REP. KLARIDES, 114th Dist.

To: Subst. Senate Bill No. 920

File No. 251

Cal. No. 696

**"AN ACT CLARIFYING PENSION OBLIGATIONS OF
CONTRACTORS AND SUBCONTRACTORS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 31-60 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective January 1, 2010*):

5 (a) Any employer who pays or agrees to pay to an employee less
6 than the minimum fair wage or overtime wage shall be deemed in
7 violation of the provisions of this part.

8 (b) The Labor Commissioner shall adopt such regulations, in
9 accordance with the provisions of chapter 54, as may be appropriate to
10 carry out the purposes of this part. Such regulations may include, but
11 are not limited to, regulations defining and governing an executive,
12 administrative or professional employee and outside salesperson;
13 learners and apprentices, their number, proportion and length of
14 service; and piece rates in relation to time rates; and shall recognize, as

15 part of the minimum fair wage, gratuities in an amount (1) equal to
16 twenty-nine and three-tenths per cent, and effective January 1, 2009,
17 equal to thirty-one per cent, and effective January 1, 2010, equal to
18 thirty-three and one-tenth per cent of the minimum fair wage per hour
19 for persons, other than bartenders, who are employed in the hotel and
20 restaurant industry, including a hotel restaurant, who customarily and
21 regularly receive gratuities, (2) equal to eight and two-tenths per cent,
22 and effective January 1, 2009, equal to eleven per cent, and effective
23 January 1, 2010, equal to thirteen and seventy-five hundredths per cent
24 of the minimum fair wage per hour for persons employed as
25 bartenders who customarily and regularly receive gratuities, and (3)
26 not to exceed thirty-five cents per hour in any other industry, and shall
27 also recognize deductions and allowances for the value of board, in the
28 amount of eighty-five cents for a full meal and forty-five cents for a
29 light meal, lodging, apparel or other items or services supplied by the
30 employer; and other special conditions or circumstances which may be
31 usual in a particular employer-employee relationship. The
32 commissioner may provide, in such regulations, modifications of the
33 minimum fair wage herein established for learners and apprentices;
34 persons under the age of eighteen years; and for such special cases or
35 classes of cases as the commissioner finds appropriate to prevent
36 curtailment of employment opportunities, avoid undue hardship and
37 safeguard the minimum fair wage herein established. Regulations in
38 effect on July 1, 1973, providing for a board deduction and allowance
39 in an amount differing from that provided in this section shall be
40 construed to be amended consistent with this section without the
41 necessity of convening a wage board or amending such regulations.

42 (c) Regulations adopted by the commissioner pursuant to
43 subsection (b) of this section which define executive, administrative
44 and professional employees shall be updated not later than October 1,
45 2000, and every four years thereafter, to specify that such persons shall
46 be compensated on a salary basis at a rate determined by the Labor
47 Commissioner."